GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

STARRED QUESTION NO:450
ANSWERED ON:05.04.2017
Marital Disputes of NRIs
Sonker Smt. Neelam

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the number of complaints regarding marital disputes of Non-Resident Indians (NRIs) received by the Government during each of the last three years;

(b) the nature of these complaints and details of action taken thereon;

(c) whether any proposal is being mooted to bring a legislation to tackle such disputes so that the litigation between NRIs and Indian citizens does not prolong;

(d) if so, the details thereof and the time by which it is likely to be brought in the Parliament; and

(e) the other measures taken by the Government in this regard?

Answer

THE MINISTER FOR EXTERNAL AFFAIRS
(SHRIMATI SUSHMA SWARAJ)

(a) to (e) A statement is laid on the table of the House.

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STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 450 REGARDING "MARITAL DISPUTES OF NRIs" FOR ANSWER ON 05.04.2017

(a) The Ministry has received 2485 complaints about NRI marital disputes during the last three years and until 30 March 2017:

Year	Number of complaints received
2014	276
2015	580
2016	1272
2017 (Till 30 March)	357
Total	2485

(b) Complaints received by Ministry pertain to following issues:

i. Abandonment by overseas Indian spouse in India or abroad after marriage

ii. Harassment and abuse by spouse and his family

iii. Cheated by overseas Indian spouse who hides the fact that he was already married or has a partner

iv. Request for assistance in locating spouse abroad or establishing contact with him

v. Request for assistance in serving judicial summons for court proceedings in India, arrest warrant, etc.

vi. Request for impounding or revoking passport of NRI spouse

vii. Request for extradition, deportation of spouse to India

viii. Request for maintenance support, divorce, or child custody.

ix. Request for legal and financial assistance to file case against spouse.

Details of action taken to address these complaints are given below.

(c) to (e) No legislation is proposed. However, Ministry attaches high importance to addressing this issue. Therefore, the following steps have been taken by this Ministry:

i. Through the Indian Community Welfare Fund (ICWF), Missions provide legal assistance, shelter and boarding & lodging to distressed Indian nationals, including those facing marital issues with overseas Indian spouses.

ii. Under a scheme set-up by Ministry, legal and financial assistance is provided to Indian women whose overseas Indian spouses reside in 13 countries namely: USA, UK, Canada, Australia, New Zealand, Malaysia, Singapore, Oman, Kuwait, Bahrain, Qatar, Saudi Arabia and United Arab Emirates to initiate legal proceedings against the spouse, avail counselling and for sustenance. 127 women have received such assistance so far. Ministry is considering inclusion of this scheme under the scope of ICWF, with the objective of making the scheme applicable globally and enabling Missions to provide assistance directly to the aggrieved Indian women.

iii. Many Indian Missions have designated 'Open House' meetings during which any distressed Indian national including those facing NRI marital issues, can approach Mission for assistance and guidance;

iv. Shelter homes for distressed Indian nationals have been set up in Malaysia, UAE, Qatar, Kuwait, Bahrain and Kingdom of Saudi Arabia to provide boarding and lodging until they are repatriated to India;

v. In some countries counseling and legal services are provided to NRIs through credible Indian Women"s Organizations, Indian Community Associations, and NGOs which are empanelled with Indian Missions/Consulates.

vi. Ministry has prepared a detailed list of FAQs (Frequently Asked Questions) in Hindi and English regarding the issue of NRI marriages, which empower the petitioners by providing information and guidance about procedures, and mechanisms for filing a case in Indian courts or police station; serving judicial summons on the overseas Indian spouse; issuing Look out Circulars; impounding and cancelling of Indian passport of spouse; and the list of lawyers and NGOs empanelled with Indian Missions etc. The information is also available on Ministry's website.

vii. A compilation of legal provisions in specific countries where the problem is more prevalent with respect to issues such as ex-parte divorce, child custody, maintenance, is available on Ministry's website.